

GOVERNMENT OF TELANGANA
A B S T R A C T

Energy Department - TSNPDCL - Acquisition land to an extent of AC.0-25 Guntas in Sy.No.101/B of Gundrathi-madugu Village for construction of 33/11 KV Substation - Exemption from Social Impact Assessment Study (SIA) under Chapter II and Food Security under Chapter III of RFCTLARR Act 2013 for land acquisition in Gundrathi-madugu Village in Kuravi mandal of Mahaboobabad District - Publication of Gazette Notification in Form-A - Orders - Issued.

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ENERGY (BUDGET.A1) DEPARTMENT

G.O.Ms.No. 31

Dated: 16-12-2022.

Read the following:

1. RFCTLARR Act, 2013 (Central Act No.30 of 2013).
2. RFCTLARR (Telangana Amendment) Act, 2016 (Act No.21 of 2017).
3. The Telangana State Land Acquisition (Consent Award, Voluntary acquisition and Lump-sum Payment towards R&R) Rules, 2017.
4. From the Chairman & Managing Director, TSNPDCL Lr.No.CMD/ TSNPDCL / CGM (Proj)/SE/Civil/D.No.629/2022, Dt: 24-11-2022.

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ORDER:

In terms of Chapter II of the RFCTLARR Act, 2013 1st read above, whenever the Government intends to acquire land for a Public Purpose, Social impact assessment study should be carried out in the affected area in consultation with the respective local body.

2. **The Chairman & Managing Director, TSNPDCL in the reference 4th read above, informed** that Sri Madhadi Srikanth Reddy, S/o. Sri Madhadi Raja Narender Reddy, have donated AC 0-32 Guntas of land on free of cost in Survey No.101/B of Gundrathimadugu Revenue village, Kuravi mandal of Mahaboobabad District for construction of 33/11 KV sub-station on 27.08.2011 duly drafting the Gift settlement Deed in favour of TSNPDCL, on a Rs. 100/- Non-Judicial Stamp paper in the presence of two witnesses one Sri Madhadi Raja Narender Reddy who is the father of the donor, and other Smt. Urmila. Subsequently, 33/11 KV Substation was constructed in the said land and it has been in operation and serving consumers for the past 10 years i.e., since 22.06.2012.

3. Further, of late in the year 2018, the owner of the land Sri Madhadi Srikanth Reddy, who donated the land on free of cost to TSNPDCL in public interest, has approached Hon'ble High Court of Telangana state and filed a Writ Petition vide WP.No.18753 of 2018 claiming compensation amount of Rs.25,00,000/- (Rupees Twenty Five Lakhs only), stating that the land was not donated by him, as he was in Canada from January 2011 and he contended that his land was occupied illegally and a 33/11 KV Sub Station was erected in it.

4. Further submitted that, the Hon'ble High Court on consideration of rival submissions came to the conclusion that the land in question should not have been transferred through Rs.100/- Non-Judicial Stamp paper, unregistered gift deed dated.27.08.2011. The Hon'ble Court has also come to the conclusion that, there is a vast difference in the signature of the petitioner in gift settlement deed, compared with other documents.

5. Therefore, the Hon'ble High Court have passed the orders in W.P. No.18753 of 2018 on 07.04.2022 observing that "the official respondents are

directed to initiate land acquisition proceedings at the earliest and pay the rightful compensation to the petitioner as per the procedure contemplated under RFCT in LA R&R Act 2013. The entire exercise shall be completed within a period of Three (3) months from the date of receipt of copy of this order”.

6. Accordingly, the Superintending Engineer/Operation/ Mahaboobabad has initiated Land acquisition process duly submitting Requisition proposals in prescribed proforma i.e., Form I, Appendix I, II and III under land acquisition in terms of G.O.Ms.No.50 Revenue(JA&LA) Department, Dt.19.12.2014 to an extent of AC 0-25 guntas (which is the actual area under possession of TSNPDCL) to the District Collector Mahaboobabad.

7. As per the instructions, the joint inspection survey has been conducted by the requisition Department (i.e. AEE, Civil, TSNPDCL, Mahabobabad) and Revenue Officials in the said land in the presence of the representative of the petitioner on 04.11.2022. As per the survey the land, it is found that TSNPDCL is under possession of AC 0-25 Guntas only.

8. Further, the LAO/Revenue Divisional officer, Mahaboobabad has informed the Superintending Engineer/Operation/ Mahaboobabad vide RC.No.A/793/2018, Dt.09.11.2022, “to obtain the orders exempting the Social Impact Assessment Study as well as safeguard to Food Security under category defined under 10A(b) in Chapter-II & III of Right to Fair Compensation and Transparency of Land Acquisition Rehabilitation and Resettlement (Telangana Amendment) Act 2013 for the said Acquisition of land from the Government and furnish the same”, so as to complete the land acquisition process.

9. The Chairman & Managing Director, TSNPDCL keeping in view of the circumstances stated above has requested the Government to exempt SIA study under Chapter II and Food Security under Chapter III of RFCTLARR Act 2013 for acquisition of land for the construction of 33/11 KV Substation in Gundrathi-madugu Village in Kuravi mandal of Mahaboobabad District and arrange to publish respective Notifications in Form-A of the Rules under the RFCTLARR (Telangana Amendment) Act, 2016, in public interest.

10. Government after careful consideration and examination of the provisions made in the Acts 1 to 3 read above decided to issue notification in Form-A duly exempting aforementioned lands from application of Chapters II and III of RFCTLARR Act, 2013 (Telangana Amendment Act, 2016) for construction of 33/11 KV Substation at Gundrathi-madugu Village in Kuravi mandal of Mahaboobabad District in public interest.

11. The following Notification shall be published in the next Extra Ordinary Issue of Telangana Gazette.

NOTIFICATION

“In exercise of the provisions contained in Sec.10 (A) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 (Telangana Amendment Act, 2016) in its application to the State of Telangana, the Government have decided and accordingly hereby, exempt the following lands required for construction of 33/11 KV Substation, from the application of provisions of the Chapter II and Chapter III of the Act in the public interest:

(Contd...in page-3)

S.No.	Name of the Village	Sy.Nos.	Total area Acs-Gts	Area to be acquired Acs-Gts
1	Gundrathi-madugu	101/B	0-32	0-25

12. It is also certified that all the efforts have been made to acquire the minimum extent of Land for construction of 33/11 KV Substation.

13. The Chief Commissioner of Land Administration, Telangana State and the Chairman and Managing Director, Northern Power Distribution Company of Telangana State shall take further necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SUNIL SHARMA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Stationery & Printing, Government of Telangana, Hyderabad. (with a request to publish the notification in next extraordinary issue of Telangana Gazette and furnish (20) copies to this Department)
The Chief Commissioner of Land Administration, Hyderabad.
The Chairman and Managing Director, TSNPDCL, Hyderabad.
The District Collector, Mahabubabad District.

Copy to:

The P.S. to Principal Secretary to CM.
The OSD to Hon'ble Minister for Energy
The P.S. to Special Chief Secretary to Government, Energy Department.
File **(C.No.1671/Budget.A1/2022)**
SC/SF.

//Forwarded :: By Order//

SECTION OFFICER